

EXHIBIT "C" - Brasfield Deposition

Joseph Papin

vs.

University of Mississippi Medical

Deposition of:

Molly Brasfield

January 21, 2021

Vol 1

PHIPPS REPORTING

Raising the Bar!

Molly Brasfield
January 21, 2021

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
3 JACKSON DIVISION

4 JOSEPH PAPIN

PLAINTIFF

5 V. CIVIL ACTION NO. 3:17-CV-763-CWR-FKB
6

7 UNIVERSITY OF MISSISSIPPI
8 MEDICAL CENTER; DR.
9 LOUANN WOODWARD, IN HER
10 OFFICIAL CAPACITY; AND
11 DR. T. MARK EARL, IN HIS
12 INDIVIDUAL CAPACITY

DEFENDANTS

13 DEPOSITION OF MOLLY BRASFIELD
14 CORPORATE REPRESENTATIVE OF UMMC PURSUANT TO RULE
15 1.310(b)(6)

16 Taken at the instance of the Plaintiff at
17 Whitfield Law Group 660 Lakeland East, Suite 200
18 Flowood, Mississippi 39232, on Thursday,
19 January 21, 2021,
20 beginning at 9:10 a.m.

21
22
23
24 REPORTED BY:

25 ROBIN G. BURWELL, CCR #1651

Molly Brasfield
January 21, 2021

Page 2

1 APPEARANCES:

2

3 C. RYAN MORGAN, ESQ.
Morgan & Morgan
4 20 North Orange Avenue, Suite 1400
Orlando, Florida 32801
5 rmorgan@forthepeople.com

6

7 COUNSEL FOR PLAINTIFF

8

9 TOMMY WHITFIELD, ESQ.
Attorney At Law
10 660 Lakeland East, Suite 200
Flowood, Mississippi 39232
11 tommy@whitfieldlaw.org

12

13 COUNSEL FOR DEFENDANT

14

15

16

17

18

19

20

21

22

23

24

25

Molly Brasfield
January 21, 2021

Page 3

1	INDEX	
2	Style and Appearances.....	1
3	Index	3
4	Certificate of Deponent	62
5	Certificate of Court Reporter	63
6	EXAMINATIONS	
7	Examination By Mr. Morgan	4
8	EXHIBITS	
9	Exhibit 1 House Staff Manual	12
10	2016-2017	
11	Exhibit 2 2016-2017 Faculty Staff	16
12	Handbook	
13	Exhibit 3 Evaluation Policy and	19
14	Grievance Algorithm	
15	Exhibit 4 Policy on Evaluation and	21
16	Promotion and Dismissal of	
17	Residents	
18	Exhibit 5 Guidelines for Academic	23
19	Remediation	
20	Exhibit 6 Letter Papin-049 - 052	59
21		
22		
23		
24		
25		

Molly Brasfield
January 21, 2021

Page 4

1 MOLLY BRASFIELD,

2 having been first duly sworn, was examined and

3 testified as follows:

4 EXAMINATION BY MR. MORGAN:

5 Q. Ms. Brasfield, if you could, state your
6 full name for the record, please?

7 A. Molly Brasfield.

8 Q. We just met a moment ago, Ms. Brasfield.
9 My name is Ryan Morgan. I represent Dr. Joey
10 Papin on a case he has brought against UMC. Have
11 you ever had your deposition taken before?

12 A. I have.

13 Q. How many times ballpark?

14 A. A dozen.

15 Q. What type of cases were you deposed in
16 before?

17 A. Employment related. All employment
18 related cases.

19 Q. Similar to this where you're testifying
20 on certain corporate policies and things of that
21 sort?

22 A. I've done that once before. This is
23 only my second time doing that since assuming the
24 chief HR role at UMMC. Prior, it was as a witness
25 to whatever case it was.

Molly Brasfield
January 21, 2021

Page 5

1 Q. Okay. If you could, -- you sound like
2 you're a pro at depositions.

3 A. No.

4 Q. I'm sure Tommy has done the same thing,
5 too, we all kind of say the same dos and don'ts of
6 depositions. Yes or no answers are preferred over
7 uh-huh. (Affirmative response.) or Huh-huh.
8 (Negative response.) If it happens, I'm just
9 going to prompt you. Not trying to be a jerk,
10 just trying to make sure it's a clear yes or no on
11 the record. If I ask a question that just does
12 not make sense -- I also can guarantee that will
13 happen -- then please ask me to rephrase. Not
14 offended. If you need a break, we'll take a
15 break. Only exception is if there is a question
16 that is pending then answer the question and we
17 can take a break. I don't think we're going to go
18 too long anyways but if you need one, great.

19 I do have to ask you two questions that
20 I hate to ask but I have to. Number one is have
21 you ever been convicted of a crime before?

22 A. No, I have not.

23 Q. Perfect. And number two is are you on
24 any sort of medication, drugs, allergy medicine,
25 whatever, that would affect your memory?

Molly Brasfield
January 21, 2021

Page 6

1 A. No, I am not.

2 Q. Good. That makes it easy. When you
3 were -- let me back up. If you could, give me
4 kind of a brief general job history of yourself at
5 UMC?

6 A. I started employment at UMMC in
7 April 2009 for the first six months. My title was
8 something akin to manager of HRIS. I transitioned
9 to the director of human resources for academics
10 and research in around October 2009. I remained
11 in that position until September of 2019. At that
12 time, my title in the regular position changed to
13 executive director of human resources for
14 academics research and service areas and I
15 simultaneously accepted an interim role as the
16 chief human resources officer. I served in both
17 of those roles until April 2020 when I accepted
18 the position of chief human resources officer.

19 Q. And so the position of chief human
20 resource officer, is that -- you're overseeing all
21 the HR for the entire UMMC?

22 A. Yes, sir.

23 Q. Backing up a step before that, when you
24 were the executive director, you said the academic
25 research, and I know there were some other terms.

Molly Brasfield
January 21, 2021

Page 7

1 If you could, just describe what kind of subset of
2 the University that was?

3 A. Yes. In both the executive director
4 position and the prior director position, I was
5 the leader for the business partner team that
6 supported the academic mission area, the research
7 mission area and all of our institutional service
8 areas such as finance, campus police.

9 Q. Okay. And under those descriptions,
10 that would also fall like the residency program
11 that we're here about today?

12 A. Yes. The house officer and residency
13 programs are considered to fall within the
14 academics research mission.

15 Q. So when you were saying you've had prior
16 depositions where you were a witness, what type
17 of -- give me an example, if you can, of one where
18 you were the witness?

19 A. A case in which I was the witness in a
20 communication meeting notifying an employee of a
21 change to their job.

22 Q. Okay. Have you ever had depositions
23 where you've been maybe not a direct witness but
24 the investigating the person for UMMC and were
25 deposed or no?

Molly Brasfield
January 21, 2021

Page 8

1 A. I'm pausing to think to make sure I'm
2 accurate in my answer. I conduct investigations,
3 but I don't recall having yet been deposed on the
4 contents of an investigation that I conducted.

5 **Q. So for the ones where you were the**
6 **witness, that would be where you interacted with**
7 **an employee, that employee later brought a claim**
8 **and then called you as a witness?**

9 A. Correct. I have also been deposed
10 because of a human resources business partner that
11 conducted an investigation and as their upline
12 supervisor, I was the supervisor that reviewed the
13 findings and recommendations.

14 **Q. Okay. What's your educational history?**

15 A. I have a bachelor of art's degree in
16 psychology from Culver Stockton College and a
17 master's in science degree and psychology from
18 Illinois State University and post-master's
19 credits from University of Washington Seattle in
20 human resources management and organizational
21 behavior.

22 **Q. What brought you to Mississippi?**

23 A. My now ex-husband.

24 **Q. Did you work professionally prior to**
25 **UMMC?**

Molly Brasfield
January 21, 2021

Page 9

1 A. I did.

2 **Q. Again, briefly describe your prior work**
3 **history, please?**

4 A. Just prior to UMMC, I was employed in
5 human resources at Blue Cross Blue Shield
6 Mississippi in Jackson, Mississippi. Prior to
7 that, I was employed in Springfield, Missouri for
8 Webco Incorporated/CES Group. My occupation there
9 was a combination of human resources, change
10 management, quality, document control. Prior to
11 that, I was employed at Highline Community College
12 in the Seattle, Washington area and I was the
13 assistant director in the extended learning
14 program, which is akin to what you would think of
15 as continuing education in the colleges that we
16 have here in Mississippi. Prior to that, I was
17 the choral music director for Jackson Academy here
18 in Jackson, Mississippi.

19 **Q. Very cool. You understand that today**
20 **you are here as a corporate representative for**
21 **UMMC?**

22 A. I do.

23 **Q. You are here to testify specifically**
24 **about two topics from our rather lengthy**
25 **deposition notice. Is that fair to say?**

Molly Brasfield
January 21, 2021

Page 10

1 A. That's correct.

2 Q. We marked it yesterday as Exhibit 1 to
3 Dr. Earl's deposition; I won't remark it again.
4 I'll show it to you to make sure we are all on the
5 same page. You are here to testify as to topics 7
6 and 10 as it relates to HR policies; is that
7 accurate?

8 A. Yes.

9 Q. And just so we can read -- I'll just
10 read it into the record. For No. 7 it is, "The
11 identities including name, address and employment
12 position of each and every individual who played a
13 decision-making, consultive or advisory role in
14 the termination of plaintiff's employment and each
15 such individual's role in the termination of
16 plaintiff's employment." And No. 10 is "All UMMC
17 rules, policies and procedures, written or
18 unwritten, which apply to all performance
19 evaluation, remediation and/or disciplinary
20 actions (formal or informal, (preliminary or
21 final), concerning house officers and others in
22 plaintiff's former position."

23 I read those correctly, correct?

24 A. Yes.

25 Q. When you say that you're here to testify

Molly Brasfield
January 21, 2021

Page 11

1 as to the HR side of things versus the GME side of
2 things, if you can, explain the difference between
3 the two?

4 A. Our residency programs that are governed
5 under the ACGME and including the selection of
6 house officers for the programs are formed through
7 a specific academic related process. So the
8 employment at UMMC is contingent upon the
9 selection to the program and the successful
10 continuation in the program. And the academic
11 rules and guidelines are governed by the academic
12 mission area leaders, whereas the employment
13 related constructs are administered through human
14 resources.

15 Q. I know there's several different
16 policies, we'll go through them in handbooks and
17 whatnot. Are there some that are considered HR
18 and some that are considered academic?

19 A. Yes.

20 Q. And you'll be able to point out which
21 ones are which?

22 A. Yes.

23 Q. Let's go ahead and do that. Let's get
24 to No. 10 here, which would be the rules, policies
25 and procedures.

Molly Brasfield
January 21, 2021

Page 12

1 (Exhibit 1 marked for identification.)

2 Q. (By Mr. Morgan) This is not the entire
3 one. It's just a select few pages of it. Do you
4 recognize the house staff manual?

5 A. I have knowledge that it exists, but
6 it's not a manual that I refer to or use.

7 Q. Do you know if this would be considered
8 an academic policy or an HR policy?

9 A. It's published by the GME office and so
10 would be considered an ACGME and GME policy. It
11 does appear that it is compiled with the support
12 of operational leaders.

13 Q. Okay. So --

14 A. The welcome letter.

15 Q. I am a little confused to be honest with
16 you. So, would this be an academic or --

17 A. Academic.

18 Q. I think you said there's some
19 operational leaders in there as well?

20 A. Correct.

21 Q. Which would seem to insinuate to me,
22 correct me if I'm wrong, but seem to insinuate
23 that it could be also HR related if those
24 operation leaders are involved?

25 A. My interpretation of it is that it is an

Molly Brasfield
January 21, 2021

Page 13

1 academic policy that has the endorsement of our
2 operational officials since the house officers are
3 doing their work within our hospital and health
4 system.

5 Q. Just in general, when residents are
6 being disciplined or suspended or whatever the
7 case may be, how do you differentiate between
8 academic and HR policies and which one needs to
9 occur?

10 A. The first question would be what the
11 rationale for it is. If, for instance, the
12 resident is not progressing academically and
13 they've gone through the academic procedure and
14 are being placed on an academic suspension then
15 that would be an academic swim lane. If the house
16 officer reported to have violated a University
17 employment policy then that would be considered an
18 HR matter.

19 Q. Can it be both?

20 A. Yes.

21 Q. Are there some that qualify for HR and
22 the academic?

23 A. Where we have policies that are
24 overlapping and policies that require the same
25 behavior, yes.

Molly Brasfield
January 21, 2021

Page 14

1 Q. In those situations when that happens,
2 is it just two independent investigations or it is
3 all handled by one group?

4 A. Typically, because the academic comes
5 first, the academic policy and procedure would
6 conclude. The academic findings and actions taken
7 would be reported to human resources for our
8 review and either concurring that there would be
9 no other employment related action or sanction
10 warranted and if there is then we would -- if it's
11 unclear whether or not we would concur then we
12 would conduct our own inquiry.

13 Q. When you say academic comes first, can
14 you explain that? Is that a policy or is that
15 just how it works in reality?

16 A. It's how it works in reality since the
17 employment of a house officer is contingent on
18 there being satisfactory terms and enrolled in the
19 academic program.

20 Q. So, even if it's an issue with the house
21 officer that is covered under academic and HR
22 policies, you'll let academic go first and then do
23 your HR review?

24 A. If it's a dual violation.

25 Q. That's right. Violating both?

Molly Brasfield
January 21, 2021

Page 15

1 A. Yes.

2 Q. And just so we're totally clear on the
3 record here, a house officer is a resident?

4 A. Correct.

5 Q. Have you seen this house staff manual
6 before? I know you said that you know it exists,
7 but are you familiar with it at all?

8 A. No.

9 Q. At the very bottom there's these Bates
10 stamps labels, it says Papin dash something, if
11 you go to the one that says dash 212. Really,
12 actually 213. That first paragraph says, "House
13 staff shall have the rights of grievance
14 procedures as detailed in the handbook for
15 employees of the Medical Center." Do you see
16 that?

17 A. Yes.

18 Q. Are you familiar with what the handbook
19 for employees of the Medical Center is?

20 A. Yes.

21 Q. And what is that?

22 A. It is formerly called the faculty and
23 staff handbook. It contains the employment
24 related policies that apply to our faculty and
25 staff.

Molly Brasfield
January 21, 2021

Page 16

1 Q. It looks like this?

2 A. Yes.

3 Q. We'll get to that one next. Is that
4 handbook you were just describing, is that
5 considered an HR policy or an academic policy?

6 A. The faculty and staff handbook is
7 considered an employment policy.

8 Q. So that's HR?

9 A. Correct.

10 Q. The next line it references a separate
11 house officer grievance policy. Are you aware of
12 what that policy is?

13 A. I'm aware that it exists but not aware
14 of the proceedings and the steps under it.

15 Q. In your mind would that be an academic
16 policy then?

17 A. Yes.

18 (Exhibit 2 marked for identification.)

19 Q. (By Mr. Morgan) I'm handing you
20 Exhibit 2. This is the faculty staff handbook,
21 correct?

22 A. Correct.

23 Q. But this is the same document we were
24 just referencing from Exhibit 1. I know it uses a
25 little bit different name but they are one in the

Molly Brasfield
January 21, 2021

Page 17

1 same, correct?

2 A. Correct.

3 Q. Fair to say this faculty staff handbook
4 does that -- sort of in the title there -- but
5 does that cover every employee of the Medical
6 Center?

7 A. It does.

8 MR. WHITFIELD: To clarify this is --
9 the Exhibit is just an excerpt of the...

10 MR. MORGAN: Yes, it's the same thing as
11 Exhibit 1. I didn't print the whole thing because
12 we're already killing all the trees, well most,
13 let's not kill them all. But yes, the full
14 complete version has been produced and this is an
15 excerpt.

16 Q. (By Mr. Morgan) If you turn to page --
17 if you look at the last two pages, if you look at
18 the second to last page, page 40, of the actual
19 handbook, near the bottom it talks about initial
20 employment period. It talks about how -- I guess
21 it's third or fourth line from the bottom there,
22 "employees are entitled to written notice of
23 problems in their work, behavior or conduct that
24 could lead to termination." Do you see that?

25 A. Yes.

Molly Brasfield
January 21, 2021

Page 18

1 Q. When it says written notice, what does
2 that mean? Is there a specific type of written
3 notice or a specific form or anything like that?

4 A. There are boilerplates and templates
5 available for managers to use but those are not
6 prescriptive. Any form of written notice
7 including e-mails or internally-used forms are
8 acceptable.

9 Q. When you say the forms, would this be
10 like a writeup form type thing?

11 A. Correct, writeup memos, for instance,
12 coaching memos, any locally-used assessment
13 documents.

14 Q. In your mind, even an informal e-mail
15 would count as written notice?

16 A. Correct.

17 Q. So even if it was something as simple as
18 you're doing a poor job at this, do better?

19 A. Correct.

20 Q. That counts?

21 A. Yes.

22 Q. I'm sure you would probably like more
23 detail, being in HR it's always better to be more
24 detailed, but even something as small as that
25 would be okay with you?

Molly Brasfield
January 21, 2021

Page 19

1 A. We tend to encourage managers to match
2 the type of written notice and the content to the
3 spirit and level of the performance issue. For
4 instance, documenting in a several-page memo for a
5 first and not egregious performance notes would
6 seem severe. So in that case we would encourage
7 e-mails or something that's a little less formal.
8 As you can imagine, employees receiving memos that
9 look like writeups for each and every concern can
10 seem punitive.

11 Q. Somebody is five minutes late the first
12 time, they don't need a 10-page written warning?

13 A. Correct.

14 (Exhibit 3 marked for identification.)

15 Q. (By Mr. Morgan) Ms. Brasfield, I've
16 handed you Exhibit 3. This is a UMMC Graduate
17 Medical Education Evaluation Policy and Grievance
18 Algorithm document. Have you ever seen this
19 before?

20 A. I have.

21 Q. What is this in a nutshell?

22 A. The Academic Evaluation Policy and
23 Grievance Algorithm that the GME office publishes
24 for its residents.

25 Q. So, this would have covered Dr. Papin?

Molly Brasfield
January 21, 2021

Page 20

1 A. Correct.

2 Q. Is this an academic policy?

3 A. Yes.

4 Q. But this is one that obviously the GME
5 office would have to follow in suspending,
6 terminating, disciplining residents?

7 A. Yes. For academic reasons, of course.

8 Q. Fair to say that you would never need to
9 be involved in applying this policy?

10 A. Correct. My only involvement would be
11 if as a result of this policy and procedure there
12 were employment related actions that needed to be
13 taken then me and my team would be involved in
14 doing that. An example would be if a house
15 officer is being terminated for academic reasons,
16 there would be employment related logistics that
17 the HR team would need to handle, such as ending
18 e-mail access and Epic EHR access, collecting UMMC
19 property.

20 Q. Right. Okay. Now, when you have a
21 situation like we were talking about a few minutes
22 ago where there's kind of a dual violation,
23 academic and HR, academic would do their review.
24 And let's say academic says, okay, this is a
25 violation and then we've gone through this current

Molly Brasfield
January 21, 2021

Page 21

1 Exhibit 3 evaluation policy we're looking at.

2 When HR then does its second review, are you
3 reviewing to make sure that the GME office
4 followed their own policies?

5 A. I would not. If I had a doubt at any
6 point that something didn't seem right then I
7 would refer to that leader, but it would not be
8 within my purview to ensure that they followed the
9 due process.

10 I would like to make a correction that
11 it's not that the GME office's inquiry into an
12 academic policy violation would or has to go
13 first, it just typically is because the issue is
14 escalated first up to the program director and
15 typically they don't then report it to human
16 resources until they have done a level of their
17 own inquiry.

18 Q. Got it. Understood. So it's not a have
19 to have to but in the real world it usually works
20 out that way?

21 A. Correct.

22 (Exhibit 4 marked for identification.)

23 Q. (By Mr. Morgan) I've handed you Exhibit
24 No. 4. Is this -- are you familiar with this
25 document?

Molly Brasfield
January 21, 2021

Page 22

1 A. I have seen it before, yes.

2 Q. Would this be considered an academic or
3 an employment/HR document?

4 A. Academic.

5 Q. So this is another one that the GME
6 office would have to follow in regards to
7 Dr. Papin or other residents?

8 A. Yes.

9 Q. Now when -- yesterday, Dr. Earl
10 testified about evaluations and things that
11 happened with Dr. Papin. When those evaluations
12 occur, does HR keep a copy of them?

13 A. No, HR is not involved in the academic
14 performance evaluations.

15 Q. So for a resident like Dr. Papin, what
16 would be contained within the typical HR file for
17 him? Prior to the termination stuff that happened
18 here, just kind of the basic beginning part.

19 A. Benefits, enrollments, any requests for
20 leave, such as family medical leave.

21 Q. What about like the contracts he signs
22 with --

23 A. Those are retained by the GME office.

24 Q. Do they have to fill out like an
25 employment application?

Molly Brasfield
January 21, 2021

Page 23

1 A. Yes.

2 Q. I know they do like an application for
3 the matching program, but then once they're
4 official and they've matched do they then have to
5 fill out an application through UMMC?

6 A. They do, and it's a rudimentary
7 application with only the necessary data points in
8 order to create the profile in our human capital
9 management system.

10 (Exhibit 5 marked for identification.)

11 Q. (By Mr. Morgan) I'll hand you
12 Exhibit 5. Have you seen this document before?

13 A. I don't recall ever reading through or
14 reviewing it but I do know of its existence.

15 Q. Fair to say this would be an academic
16 policy?

17 A. Yes.

18 Q. Not an HR policy?

19 A. Correct.

20 Q. So again, one of the ones that GME would
21 have to follow was disciplining any resident?

22 A. Yes, I have seen the protocol checklist
23 that is the third page of this document. This is
24 a document that at times if an academic suspension
25 and probation has been followed and has not been

Molly Brasfield
January 21, 2021

Page 24

1 successfully remediated, such that they are
2 requesting termination, this is a document that's
3 frequently included as the pack of information for
4 our employee relations area to review to ensure
5 appropriate documentation for HR purposes should
6 we separate the employee and then receive, for
7 instance, a claim for unemployment insurance or an
8 EEOC charge, et cetera. So I have seen this
9 checklist before.

10 Q. And that would be from prior incidents
11 where termination and suspension or something was
12 being requested and HR was doing that second
13 review?

14 A. I don't recall ever seeing it as an HR
15 second review. The times when I recall having
16 seen it was in a case of academic decision to
17 terminate the program and the packet that was
18 shared with human resources in responding to an
19 employment claim or an EEOC charge, et cetera.

20 Q. If a resident was being let go for
21 academic reasons only, does HR still review that
22 decision?

23 A. No.

24 Q. At that point it's separately -- it's
25 dealt with through the academic GME side?

Molly Brasfield
January 21, 2021

Page 25

1 A. Correct.

2 Q. Let me go back and show you one of the
3 exhibits from yesterday. This is Exhibit 22 from
4 Dr. Earl's deposition. Have you seen this
5 document before?

6 A. I don't recall seeing this specific
7 document.

8 Q. This was a two-page letter that was
9 entered into between Dr. Earl, the program
10 director, and Dr. Papin in January of 2017. Do
11 you recall if you saw this during the time when
12 Dr. Papin --

13 A. I don't recall.

14 Q. I don't want to interrupt -- if you're
15 reading the whole thing, I'm not asking you any
16 more questions on it.

17 A. Oh, okay.

18 Q. Let me put it back in this so we don't
19 lose the order.

20 A. Okay.

21 Q. Are you aware of, other than the ones
22 we've gone through here now, any other written
23 rules, policies and procedures that would have
24 applied to Dr. Papin regarding performance
25 evaluations from the HR side?

Molly Brasfield
January 21, 2021

Page 26

1 A. Performance evaluations specifically?

2 Q. Yes.

3 A. No, not aware of any additional
4 policies.

5 Q. I'm taking it one at a time to make it
6 easier. Are you aware of any other written rules,
7 policies and procedures on the HR side regarding
8 remediation that we have not gone through?

9 A. No, I am not.

10 Q. Same question. Any other written rules,
11 policies and procedures on the HR side relating to
12 disciplinary actions whether formal, informal,
13 preliminary or final?

14 A. The excerpt from the faculty and staff
15 handbook that deals with employment related
16 performance issues.

17 Q. That's the one?

18 A. And issues that are grieveable, issues
19 that are not grieveable, behaviors that are
20 acceptable, behaviors that are not acceptable.

21 Q. None other than that from the HR side?

22 A. Can you reread the question to make sure
23 I'm being thorough?

24 Q. Is any written rules, policies and
25 procedures which apply to disciplinary actions

Molly Brasfield
January 21, 2021

Page 27

1 whether formal or informal, preliminary or final?

2 A. No, no others.

3 Q. Now, I'm going to ask the same questions
4 again as far as any sort of unwritten rules,
5 policies and procedures for performance
6 evaluations that relate to house officers on the
7 HR side?

8 A. Not aware of any, no.

9 Q. How about any unwritten rules, policies
10 and procedures on the HR side relating to house
11 officers and remediation?

12 A. No.

13 Q. And then last question on this. Any
14 unwritten rules, policies and procedures on the HR
15 side relating to house officers for disciplinary
16 actions whether formal or informal, preliminary or
17 final?

18 A. The practices that we follow could be
19 considered unwritten.

20 Q. The two-step process we were talking
21 about a moment ago?

22 A. That process, the process we follow if a
23 manager requests termination of an employee or a
24 final written warning of an employee and the
25 process we would follow to review that and make a

Molly Brasfield
January 21, 2021

Page 28

1 decision.

2 Q. What is your typical process to do that?

3 A. To request from a manager, if they
4 haven't already supplied it, the documentation to
5 support their request. A review of that by the
6 human resources business partner as a preliminary.
7 If they feel the packet of documents is sufficient
8 and they are in support of the request, then it is
9 shared with our employee relations team. If the
10 employee relations team concurs then they would
11 communicate that back to the human resources
12 business partner to assist the manager with the
13 notification meeting or the termination.

14 Q. Is that the process that was undertaken
15 here for Dr. Papin?

16 A. Yes.

17 Q. I think that's a good transition into
18 topic number seven. On the HR side, can you list
19 each person who was involved in the decision
20 making or consulting or advisory role for
21 Dr. Papin's termination?

22 A. I would want to refer to the list of the
23 GME committee members since I'm not as familiar
24 with those from memory, but do have knowledge of
25 the committee members that were selected for that

Molly Brasfield
January 21, 2021

Page 29

1 scope. For the HR related pieces, I can share the
2 people that were involved.

3 Q. I think you're here to testify on the HR
4 side, right?

5 MR. WHITFIELD: She was going to tell
6 you everybody that was in the process for seven.

7 Q. (By Mr. Morgan) Okay. Then let's do
8 that. We'll do it for both sides and then go into
9 detail.

10 A. Okay. For the human resources side, Pat
11 Whitlock, who is a human resources business
12 partner and the assigned partner for the GME
13 office. Pam Greenwood, who is an HR service
14 partner in employee relations. Cecelia Bass, our
15 director of employee relations. Myself, at the
16 time serving as the upline leader for Pat Whitlock
17 in the director of academic research role.
18 Dr. Rick Barr, who is the associate Dean for
19 graduate medical education and the institutional
20 officer.

21 Q. When you say institutional officer, what
22 do you mean?

23 A. For residencies. I believe the acronym
24 that's assigned is the DIO.

25 Q. What does that mean in the real world,

Molly Brasfield
January 21, 2021

Page 30

1 he's just in charge of that?

2 A. He's in charge of the residency program
3 and the following of the GME policies and the
4 ACGME governing policies.

5 Q. Now, is Dr. Barr on -- when you're
6 listing this, is he on the HR side or on the
7 academic side or both?

8 A. He would have been both.

9 Q. The five names you've given me, these
10 would all be HR individuals?

11 A. Yes.

12 Q. But then Dr. Barr would be both?

13 A. Correct.

14 Q. On the academic side -- anybody else on
15 the HR side?

16 A. Dr. Mark Earl as the manager of
17 Dr. Papin.

18 Q. Now, would Dr. Earl be also both HR and
19 academic?

20 A. Correct.

21 Q. Anybody else from HR, on the HR side?

22 A. No.

23 Q. What about the academic side?

24 A. Dr. Woodward, as the vice chancellor for
25 the institution. Dr. Steve Bondi, who was the

Molly Brasfield
January 21, 2021

Page 31

1 head of the committee. And then the respective
2 committee members whom I would need to refer to
3 the document to recall all of their names.

4 Q. Would it be all the names that are
5 listed on Papin Bates stamped 54 in the bottom
6 right?

7 A. Yes, that is correct.

8 Q. Anybody else from the academic side?

9 A. Not that I'm aware of.

10 Q. So when you say Dr. Earl was on the HR
11 and academic side, what decision did he make on
12 the HR side?

13 A. He did not make the decision, but he
14 made the request for HR to examine the employment
15 related aspects of the behaviors that had been
16 reported.

17 Q. On the HR side, who or whom was the
18 ultimate decision makers to terminate Dr. Papin?

19 A. Cecelia Bass.

20 Q. So, ultimately it led to she was the one
21 who had to make the call?

22 A. Correct.

23 Q. Were you involved in the decision at
24 all?

25 A. I was involved in the decision making,

Molly Brasfield
January 21, 2021

Page 32

1 yes.

2 **Q. Walk me through how that kind of worked?**

3 A. In the review of the packet supplied by
4 the program directorship, I was involved in
5 answering questions of Pam Greenwood, the service
6 partner I mentioned, and Cecelia Bass in helping
7 to distinguish which policies are academic
8 policies versus which policies are employment
9 related policies.

10 **Q. And why did you have to do that?**

11 A. Some of the questions that the service
12 partner was asking about the case were academic in
13 nature and therefore outside of our wheelhouse.

14 **Q. So, you were the one who would say hey,**
15 **this policy here we don't have to necessarily**
16 **review because that's academic only?**

17 A. Correct.

18 **Q. And did you make a recommendation to**
19 **Cecelia Bass about terminating Dr. Papin?**

20 A. I did not.

21 **Q. Do you know if anybody else made a**
22 **recommendation to her?**

23 A. I believe Pat Whitlock was in support of
24 the manager's request to terminate. And I did
25 review and concurred, but I did not make the

Molly Brasfield
January 21, 2021

Page 33

1 recommendation formerly.

2 Q. How does that happen formerly, is it
3 like an e-mail?

4 A. Typically an e-mail between the business
5 partner to the employee relations team.

6 Q. So Pat would have sent an e-mail to
7 Cecelia saying I support the termination?

8 A. Yes.

9 Q. But you didn't have to do that?

10 A. Correct.

11 Q. I don't want to put words in your mouth.
12 I would imagine you probably had either verbal
13 conversations or something that expressed you were
14 in support of that decision?

15 A. Correct, the business part, part of our
16 internal business partner process is when a
17 business partner has conducted an investigation
18 and come to findings and recommendations. They
19 include me in the communications so that in my
20 review if I see anything in oversight of what the
21 business partner did that seemed to be lacking or
22 amiss, I would have opportunity to talk with
23 employer relations about that. And on occasion,
24 in addition to e-mails between the human resources
25 business partner team and the employee relations

Molly Brasfield
January 21, 2021

Page 34

1 team, we also have sitdown meetings to go through
2 documents and ask each other questions to ensure a
3 full understanding. I don't believe that occurred
4 in this case, but I would not have been involved.

5 Q. Are Pat, Pam and Cecelia still employees
6 of UMMC?

7 A. They are.

8 Q. Why was it ultimately up Cecelia, was
9 she just highest up on the hierarchy?

10 A. As the director of employee relations,
11 our process that was in place is for the employee
12 relations director to endorse any decisions to
13 terminate employees at the Medical Center.

14 Q. I was about to ask that. Is she
15 involved in all the decisions?

16 A. Correct. She has a big job.

17 Q. So, we sort of went over the
18 decision-making aspect. For consulting or
19 advisory role are sort of similar. Certainly
20 sounds like you gave at least an advisory opinion
21 verbally that you concurred with the termination.
22 Who else would have done something similar to
23 that, if you know?

24 A. Given a verbal advisory --

25 Q. Maybe it wasn't even verbal, maybe it

Molly Brasfield
January 21, 2021

Page 35

1 was an e-mail advisory or --

2 A. I'm not aware of anyone else besides the
3 four people that I named that were involved in
4 that decision.

5 Q. What did Pam Greenwood do as far as
6 advisory or consulting?

7 A. Much like Pat Whitlock would gather the
8 documents initially and put together either
9 support for a termination request or request other
10 documents, Pam Greenwood would be the first person
11 in the employee relations team to review what Pat
12 submitted and ensure she either endorsed it or
13 asked questions and received additional
14 information in order for her to then provide it to
15 Cecelia for her review. That process is to be
16 most time efficient for Cecelia, so that those
17 kinds of reviews don't come to her until they are
18 fully reviewed and as comprehensive and complete
19 as could be to save her that time.

20 Q. So it sort of starts with Pat -- oh, I'm
21 sorry, Pam, correct?

22 A. In the employee relations piece, yes.

23 Q. Starts with Pam, makes sure all the info
24 is there, she concurs with the recommendation and
25 then it would go to Pat?

Molly Brasfield
January 21, 2021

Page 36

1 A. It would go to Cecelia. Pam reports to
2 Cecelia.

3 **Q. So then why does Pat make a formal**
4 **concurrence to Cecelia?**

5 A. If a business partner receives a request
6 to terminate and in their professional opinion
7 believe that a different level of sanction would
8 be more appropriate then the business partner
9 talks with and works with the manager on that
10 keeping the employee relations team from having to
11 get involved in something that shouldn't advance
12 to that level of review.

13 **Q. Before Pam sent everything to Cecelia,**
14 **is it -- you may have said this and I just**
15 **apologize -- did Pat get involved and also give**
16 **that concurrence at that time or when does that**
17 **occur?**

18 A. Correct. When the manager made the
19 request, Pat was involved in the initial meeting
20 to hear the request and rationale behind it and
21 she then was assigned as the business partner to
22 collect all the documents, pose questions as
23 needed to that manager and work her way through
24 her professional opinion about what sanction would
25 be warranted in this particular case. And this

Molly Brasfield
January 21, 2021

Page 37

1 process is again in the spirit of time efficiency.
2 The employee relations team reviews all requests
3 for the entire institution, whereas a business
4 partner is assigned only a small subset of
5 constituents making it a more manageable workload.

6 Q. What role did Dr. Earl have after making
7 the request?

8 A. Answering questions posed by Pat and/or
9 the employee relations team.

10 Q. Did he have any further subsequent
11 decision-making role or --

12 A. No.

13 Q. Because I think at that time he had
14 already made the recommendation for --

15 A. Correct.

16 Q. -- termination.

17 A. I would call it a request.

18 (Off the record.)

19 Q. (By Mr. Morgan) We were kind of going
20 through the list of names here of individuals who
21 were involved in the decision to terminate
22 Dr. Papin. For Dr. Barr, you said he was both HR
23 and academic. Can you explain what his role on
24 the HR side was?

25 A. As the GME associate dean, he would give

Molly Brasfield
January 21, 2021

Page 38

1 oversight to Dr. Mark Earl and the request that he
2 was making. Typically with any employee request
3 for sanctions, the upline leader of the manager is
4 also aware of and involved to whatever extent they
5 choose to be.

6 Q. So does that person, like Dr. Barr in
7 this situation, do -- does he make a formal
8 recommendation?

9 A. I don't believe he did in this case. He
10 reviewed the matter and suggested to Dr. Earl that
11 it needed to be referred to human resources.

12 Q. Okay. And then Dr. Earl referred it to
13 human resources with the recommendation of
14 termination?

15 A. He sent the information to Dr. Barr.
16 Dr. Barr included Dr. Earl in the request to meet
17 and discuss with human resources because he felt
18 that it needed to be escalated to human resources.
19 I don't recall seeing anything in writing other
20 than the request to have the meeting and the
21 meeting taking place.

22 Q. Okay. Were you in that meeting?

23 A. I was.

24 Q. Who else was in that meeting?

25 A. I recall Dr. Barr, Dr. Earl, myself and

Molly Brasfield
January 21, 2021

Page 39

1 Pat Whitlock.

2 Q. And did Dr. Earl make a verbal
3 recommendation regarding termination?

4 A. I don't recall specifically what
5 Dr. Earl stated aside from overarching concern
6 about the behaviors.

7 Q. So what was his request to HR then, what
8 did he want you all to do?

9 A. I recall his desire being an appropriate
10 sanction for Dr. Papin for the behaviors and the
11 performance and the violations of policy.

12 Q. So do you recall if Dr. Earl ever made a
13 recommendation that he wanted Dr. Papin to be
14 terminated?

15 A. I don't recall, because I assigned the
16 matter to Pat Whitlock. That would have been
17 handled by Pat and I don't recall seeing
18 specifically what, if anything, Dr. Earl was
19 asking for beyond us looking at it.

20 Q. Okay. So does HR just make an
21 independent decision by themselves after reviewing
22 this or do you go back to Dr. Earl and Barr to
23 consult with them and get their "okay"?

24 A. The way I would word it is that we do
25 seek consensus and alignment around whatever HR

Molly Brasfield
January 21, 2021

Page 40

1 recommendation we're making.

2 Q. So, who ultimately said this is a
3 terminable offense? I know you said it was
4 Cecelia Bass. But who was the one who said, okay,
5 this is not just suspension or a discipline, this
6 needs to be termination?

7 A. That would have started with Pat
8 Whitlock, me endorsing it. On the employee
9 relations side, I wasn't part of the dialogue
10 between Cecelia and her employee Pam, but I'm
11 aware that Cecelia also felt it should be a
12 termination.

13 Q. Let's go back and look. This is an
14 exhibit from yesterday, Exhibit 23 to Dr. Earl's
15 deposition. It's a series of e-mails. If you
16 kind of go towards the back -- I guess it's on the
17 third page of this exhibit. It has an e-mail from
18 Pat Whitlock from February the 6th, 2017. Do you
19 see that?

20 A. Yes.

21 Q. And it looks like you were copied on
22 this e-mail, correct?

23 A. Yes.

24 Q. Who is Johnny Gilmore that's copied on
25 the e-mail?

Molly Brasfield
January 21, 2021

Page 41

1 A. Johnny Gilmore was a senior service
2 partner reporting to Cecelia Bass in the employee
3 relations area.

4 Q. And who is Chris Morgan?

5 A. Chris Morgan is also a senior service
6 partner in the employee relations area reporting
7 to Cecelia Bass.

8 Q. Now, this e-mail is being sent to
9 Cecelia Bass, but then it looks like Pam responds,
10 if you look at page 2, with some additional
11 questions or additional information that she is
12 looking for. Is that sort of the process you were
13 describing where Pam does the initial review to
14 make sure Cecelia has got everything she would
15 need to review?

16 A. Correct.

17 Q. And then you responded, it looks like,
18 regarding with some of the issues you were
19 describing earlier about academic policies and GME
20 policies?

21 A. Correct.

22 Q. So go back to that February 6th e-mail?

23 A. Yes.

24 Q. If you look at that first paragraph, at
25 the end of that line it says, the director of his

Molly Brasfield
January 21, 2021

Page 42

1 program feels that the liability is too great to
2 have him continue. Do you see that?

3 A. Yes.

4 Q. That to me certainly seems like Dr. Earl
5 wanted termination at that time; is that fair to
6 say?

7 A. Could be, yes, I would read it that way.

8 Q. When you get an e-mail like this, is
9 this one where you're like, okay, I need to review
10 and get familiar with this right away, or is it
11 more of a, okay, I'm going to let a few more steps
12 occur before I really dive in and get involved?

13 A. I wouldn't tend to get involved because
14 the HR business partner is expected to
15 independently review and make recommendation. So
16 if the business partner articulates information
17 that she's gathered from the manager, I trust
18 that.

19 Q. So from this February 6th e-mail
20 until -- looks like Pam responds February the
21 15th, so nine days later -- did you do anything in
22 response to this e-mail or was this sort of just a
23 wait-and-see-what-happens approach?

24 A. I have one-on-one weekly meetings with
25 each of my business partners and so I would have

Molly Brasfield
January 21, 2021

Page 43

1 had my one-on-one meeting with Pat where we
2 discussed just the status of the case.

3 Q. No findings or recommendations yet at
4 that point?

5 A. Huh-huh. (Negative response.)

6 Q. Now, if you go to the last page of the
7 exhibit --

8 A. I want to make sure I clarify. No
9 findings or recommendations from employee
10 relations at that point.

11 Q. Yes.

12 A. Yes.

13 Q. If you go to the last page, the end of
14 Pat's original February 6th e-mail. It says,
15 "Termination of Dr. Papin's employee is the
16 recommendation of the director School of
17 Medicine." I'm going to stop there. Who is that,
18 the director School of Medicine?

19 A. I don't know who she was referring to by
20 that title. I could speculate but that would be
21 unhelpful.

22 Q. If you have a really good guess you can
23 do that, but if it's purely speculative don't do
24 that. And continuing on the sentence --

25 A. I can deduce that she was referring to

Molly Brasfield
January 21, 2021

Page 44

1 Dr. Mark Earl. She did not articulate his full
2 title as program director of the surgery resident
3 program in the School of Medicine.

4 Q. The second clause says, "Concurred by
5 the associate dean graduate medical education" who
6 is Dr. Barr?

7 A. Correct.

8 Q. And so, you know from the facts of this
9 case that it was Dr. Earl and Dr. Barr who brought
10 this?

11 A. Correct.

12 Q. So, using our deduction skills would
13 seem to mean she meant Dr. Earl?

14 A. Yes.

15 Q. And so, in this first e-mail she's
16 making that recommendation and saying she agrees
17 with it right away?

18 A. Correct. And it does appear from the
19 lapse of time, she sent the e-mail a few days
20 following the last paragraph dated, which suggests
21 that during that time that was when she was
22 reviewing all of the facts and formulating her own
23 opinion. But by February 6th, 2017 she had
24 concluded that termination was appropriate.

25 Q. In the fourth page of this exhibit,

Molly Brasfield
January 21, 2021

Page 45

1 **there's a January 19th, 2017 meeting reference**
2 **where it says you attended.**

3 A. Yes.

4 Q. Do you recall this meeting?

5 A. I do.

6 Q. And what was -- besides what was
7 described in this paragraph, what else was
8 discussed or can you recall about that meeting?

9 A. This was the meeting in which Dr. Barr
10 had requested to tell human resources about the
11 case and seek our advice from an HR perspective
12 for the performance issues and potential policy
13 violations.

14 Q. How long did that meeting last ballpark?

15 A. I don't recall. Typically these
16 meetings are scheduled for 50 minutes or an hour.

17 Q. For that 50 minutes to an hour, what
18 other items were discussed besides what's listed
19 here?

20 A. I don't recall anything specific, but by
21 virtue of Jamie Christian the associate general
22 counsel being in attendance -- typically, our UMMC
23 legal counsel, when they're attending these
24 meetings, they're lending clarification between
25 the academic and the employment related constructs

Molly Brasfield
January 21, 2021

Page 46

1 to ensure that each area is staying inside their
2 lane from a legal perspective.

3 Q. Do you remember that happening and
4 recall that happening in this meeting?

5 A. I don't.

6 Q. Do you remember if you said anything in
7 particular during the meeting, like if you recall
8 asking a question or making a comment about the
9 situation?

10 A. I don't specifically recall, no. I'm
11 sure I did, but I don't recall.

12 Q. This is a very broad question but
13 anything else you can remember whatsoever about
14 that meeting we haven't discussed?

15 A. I did concur that it needed an HR
16 review.

17 Q. Was that your decision to make?

18 A. It would have been mine had Pat not
19 concurred.

20 Q. Was Pat at that meeting?

21 A. It does not appear that she was in that
22 particular meeting, no.

23 Q. But she would have been the one who
24 subsequently would have received the information
25 to start the process?

Molly Brasfield
January 21, 2021

Page 47

1 A. Correct, when I assigned it to her, if
2 she would have disagreed and said I don't believe
3 that this warrants an HR review, I would have been
4 the decision maker to override that and say I
5 disagree and I'm assigning you to do this. But
6 when I did refer the matter to her for human
7 resources review, she concurred that it warranted
8 an HR review.

9 Q. Did you review any of the documentation
10 in this matter besides like these e-mails, like
11 the actual attached documentation?

12 A. I don't recall what I reviewed at that
13 time, but I do recall of course reviewing these in
14 preparation for today. And I reviewed them in the
15 process of the request for the academic appeal. I
16 do recall reviewing them at that time in order for
17 us to have aligned around offering Dr. Papin the
18 option to resign in lieu of termination. I was
19 involved in that discussion.

20 Q. We'll get to that in a minute. For
21 example, did you know that there was a recorded
22 statement where Dr. Papin met with Pat and Pam to
23 discuss this situation?

24 A. I was.

25 Q. Did you review --

Molly Brasfield
January 21, 2021

Page 48

1 A. Let me correct. My belief was that that
2 meeting occurred with Brenda Traxler.

3 Q. You're right, it was Brenda.

4 Would you have reviewed that statement
5 prior to your informal concurrence on the
6 termination?

7 A. No, not unless there was an indication
8 that anything that Pat was putting forward was not
9 trustworthy.

10 Q. So when you're making your
11 recommendation -- I know it was kind of informal
12 advisory, not an formal-formal one -- besides the
13 e-mails that document the issues, do you go and do
14 like an independent investigation yourself and
15 look through any documentation that was like sent
16 by Dr. Earl, for example, originally or you're
17 really just relying upon the recitations in these
18 types of e-mails?

19 A. I would do that if the summary that the
20 business partner was providing was less than
21 thorough, then I would dig deeper into it.

22 Q. So if you read it and you were like,
23 okay, I'm satisfied, it seems to answer all the
24 questions and all of that, you wouldn't go to the
25 backup documentation?

Molly Brasfield
January 21, 2021

Page 49

1 A. Correct.

2 Q. So, do you remember here if you had to
3 go back to the backup documentation or was the
4 summary sufficient?

5 A. I don't recall that I had any questions.

6 Q. In your e-mail from February 15th, I was
7 just reading it one more time, you discuss what we
8 discussed earlier about how some of the questions
9 that Pam had asked were academic related and not
10 necessarily HR related, correct?

11 A. Correct.

12 Q. And at the end you described that these
13 types of trainee issues can be tricky. And then
14 it looks like Cecelia responded to your e-mail two
15 days later saying that it appears tricky to me,
16 let's plan to discuss. Do you see that?

17 A. Yes.

18 Q. Do you remember having that discussion
19 with Cecelia?

20 A. I do, and I recall it wasn't just
21 Cecelia, it was meeting with her and all of her
22 service partners.

23 Q. When you say all of her service
24 partners, who would that be?

25 A. Pam Greenwood, Johnny Gilmore and Chris

Molly Brasfield
January 21, 2021

Page 50

1 Morgan.

2 Q. All the people that are on this e-mail?

3 A. Correct.

4 Q. So when her Monday, February 20th e-mail
5 where she says, "Pat/Molly, thanks for making time
6 to speak with us," that would include everybody
7 that's copied on the e-mail?

8 A. Correct.

9 Q. What did you discuss at that meeting?

10 A. The academic policies versus employment
11 policies, how the employment is contingent on the
12 trainee being in the program and where each of
13 those swim lanes reside.

14 Q. So here, for Dr. Papin, was he
15 terminated under the HR policies because he was
16 being terminated under the academic policies?

17 A. No, he was being terminated for
18 violations of employment policies.

19 Q. Which ones specifically?

20 A. Code of conduct and disruptive behavior.

21 Q. Anything else?

22 A. No.

23 Q. That would be based upon the facts that
24 are elicited in the different paragraphs from Pat
25 Whitlock's February 6th e-mail?

Molly Brasfield
January 21, 2021

Page 51

1 A. Correct.

2 Q. You mentioned a second ago how when the
3 appeal request came through, you were involved
4 with I think pulling documentation, is that what
5 it was or providing other information?

6 A. Correct.

7 Q. What was your role in that?

8 A. The request for appeal came through
9 Dr. Papin's then attorney, who referenced a GME
10 policy, and in communication with the UMMC legal
11 counseling who was handling it at that time, which
12 was Mark Ray rather than Jamie Christian --

13 MR. WHITFIELD: I'm going to object to
14 getting into what Mark Ray advised, other than
15 that you can testify as to what you did.

16 THE WITNESS: Correct. I answered
17 questions Mark had to propose a hopefully
18 amendable solution to the employment matter, which
19 was to offer Dr. Papin the option to resign in
20 lieu of termination.

21 Q. (By Mr. Morgan) I do want to ask about
22 that in a second. As far as the appeal and the
23 appeal hearing goes, did you have any other
24 involvement besides answering questions for Mark
25 Ray?

Molly Brasfield
January 21, 2021

Page 52

1 A. Clarifying that a clause in one of the
2 GME policies did not have a correct update to the
3 contents of the then current faculty and staff
4 handbook with regard to issues that are
5 grieveable.

6 **Q. What was that one?**

7 A. May I refer to the faculty staff
8 handbook?

9 **Q. Yes.**

10 A. This would be the policy from this
11 exhibit on page 41. That's not the right number.
12 I don't see this particular policy in the excerpt
13 that you've provided.

14 **Q. Do you remember what the policy was?**

15 MR. WHITFIELD: Here, I've got the full
16 book.

17 THE WITNESS: I understand now why you
18 didn't print the whole thing out. Page 46, which
19 is a subset of the problems, questions and
20 grievances policy for staff.

21 **Q. (By Mr. Morgan) And what was changed?**

22 A. Under the section issues that are
23 grieveable, adverse employment actions such as
24 demotions and suspensions but not including
25 terminations.

Molly Brasfield
January 21, 2021

Page 53

1 Q. So that was then amended to include
2 termination?

3 A. The faculty and staff handbook excludes
4 terminations as grieveable actions, but the GME
5 policies had not been amended to reflect that.

6 Q. So at the time there was no grievance
7 for the termination under the HR side?

8 A. Correct.

9 Q. Only on the academic side?

10 A. Correct.

11 Q. But then that was changed?

12 A. When you say it?

13 Q. Good question. The policy you were just
14 referring to?

15 A. In the faculty staff handbook?

16 Q. Yes.

17 A. No, the faculty staff handbook remains
18 as written that terminations are not grieveable.

19 Q. Okay. So, you were just clarifying that
20 point; is that what you were saying? I thought a
21 second ago you said there was an amendment to a
22 policy?

23 A. I believe the GME policy made reference
24 to terminations being grieveable which was
25 inconsistent with the faculty and staff handbook.

Molly Brasfield
January 21, 2021

Page 54

1 Q. How was that consistency fixed or is it
2 not fixed?

3 A. I believe the academic group amended
4 their policies to reflect current employment
5 policies.

6 Q. If you know, the academic policies now
7 say termination is not a grieveable?

8 A. I am unaware of what they say.

9 Q. You mentioned the offer of resignation
10 to Dr. Papin. If you could, tell me about that
11 and how that came about?

12 A. That came as part of my consult to UMMC
13 legal counsel to allow him to continue
14 conversation with Dr. Papin's attorney.

15 Q. And how did it start? Did you say hey,
16 by the way, we can offer resignation or was it
17 asked and requested of you?

18 MR. WHITFIELD: Can we go off the record
19 for just a second?

20 MR. MORGAN: Sure.

21 (Off the record.)

22 MR. WHITFIELD: We just had a
23 conversation off the record regarding privilege
24 and inquiring into a matter that was concerning an
25 offer made to opposing counsel at the time. We're

Molly Brasfield
January 21, 2021

Page 55

1 going to -- we've agreed to get into that without
2 waiving any other -- without waiving legal
3 privilege globally and we'll confine it to just
4 the discussions of the offer that was authorized
5 to be made without waiving any attorney-client
6 privilege.

7 Q. (By Mr. Morgan) So Ms. Brasfield, walk
8 me through, then, the offer of resignation how
9 that came up and what your role was in it?

10 A. Anytime we have former employees that
11 are dissatisfied with the outcomes, my interest
12 is, whenever possible, to find an amenable
13 mutually agreed set of terms and to avoid this
14 sort of scenario we're in right now. And as part
15 of understanding Dr. Papin's displeasure with the
16 outcome looking at potential ways to meet his
17 desired outcome was my interest, and part of a
18 concession I was willing to make was to provide
19 the option of resigning in lieu of termination.
20 My understanding was that was one of Dr. Papin's
21 concerns.

22 Q. And so who first brought up the idea of
23 resignation, was that you --

24 A. I did.

25 Q. So, that would have just been in one of

Molly Brasfield
January 21, 2021

Page 56

1 the discussions with counsel, you said hey, why
2 don't we offer this?

3 A. Yes.

4 Q. Did you have to get any sort of approval
5 for that from anyone else?

6 A. No.

7 Q. Did you have to go talk to Dr. Earl or
8 Dr. Barr or anybody like that?

9 A. No.

10 Q. Or talk to Cecelia Bass?

11 A. I would have typically conferred with
12 Cecelia. I don't specifically remember doing so
13 in this case, but that is typical, yes.

14 Q. Is there -- I don't want to say a line
15 in the sand, but that's really the only word I can
16 think of -- but some line where you say, hey, you
17 know what, up to this line we'll offer resignation
18 but if something is just so egregious, no chance
19 we would ever offer in lieu of resignation?

20 A. Correct.

21 Q. There is a line?

22 A. Yes.

23 Q. Where is that line? Where does that
24 line trigger?

25 A. An example would be someone whose

Molly Brasfield
January 21, 2021

Page 57

1 behavior was so egregious that not having a
2 termination for cause as the final outcome would
3 allow them future opportunities in the medical
4 field that we would feel uncomfortable with. An
5 example of that would be sexual misconduct or
6 harassment.

7 Q. But here you did feel comfortable enough
8 to offer the resignation so that Dr. Papin could
9 try to remain in the medical field?

10 A. Correct.

11 Q. And so you instructed Mark Ray to make
12 this offer to Dr. Papin's original attorney?

13 A. Yes.

14 Q. And then were you ultimately told
15 that -- what happened after that in regards to the
16 offer of resignation, did you ever hear about it
17 again?

18 A. I received input that the offer was
19 declined.

20 Q. And then was it ever discussed again or
21 that was basically the end of it?

22 A. Only referred to in subsequent
23 conversations in preparation for and throughout
24 the hearing for the academic piece.

25 Q. Did you know that or hear that Dr. Papin

Molly Brasfield
January 21, 2021

Page 58

1 had discussed resigning with Dr. Earl?

2 A. No.

3 Q. So when you say the resignation piece
4 was discussed on the academic side in preparation
5 for the appeal, in what way? How would that have
6 come up?

7 A. The preparation of Dr. Steve Bondi as
8 the chair of the appeals committee and the hearing
9 process.

10 Q. Were you involved in helping prepare
11 Dr. Bondi for the hearing?

12 A. No.

13 Q. Were you involved in helping set the
14 hearing process?

15 A. No.

16 Q. So, when you say that, what do you mean
17 by that? A second ago you just said those two
18 items. Can you expand a little bit more on that,
19 please?

20 A. I have seen as part of the preparation
21 for this correspondence in which that topic was
22 part of that academic process.

23 Q. Where it's talking about the hearing
24 process, it's mentioning in there that an offer of
25 resignation had been made?

Molly Brasfield
January 21, 2021

Page 59

1 A. Correct.

2 Q. Give me one second. Let's go off for
3 just a second.

4 MR. WHITFIELD: I'm going to interpose
5 an objection that if that was covered in
6 attorney-client conversations in reference to
7 other matters then it's privileged and not subject
8 to disclosure. She didn't identify who the
9 correspondence was from, but if it was from
10 University counsel, that would have been
11 privileged and I would object.

12 (Off the record.)

13 (Exhibit 6 marked for identification.)

14 Q. (By Mr. Morgan) Ms. Brasfield, I've
15 handed you Exhibit 6, which is a letter from you
16 to Dr. Papin's original attorney, correct?

17 A. Correct.

18 Q. Did you draft this letter?

19 A. In consult with UMMC legal, yes.

20 Q. Did you do the first draft and then
21 consult it or how did it work?

22 A. I don't recall.

23 Q. Do you know why this letter was sent in
24 July when Dr. Papin was terminated in February,
25 five months before? Why it took so long to send

Molly Brasfield
January 21, 2021

Page 60

1 **this letter?**

2 A. My recollection is that during that
3 period of time UMMC legal was working with
4 Dr. Papin's attorney on issues, the terms, what
5 the questions were, in an attempt to work through
6 those questions.

7 Q. Your first line says, "This is in
8 receipt of your letter of March 3rd," so that
9 would have been four months before if my math is
10 right?

11 A. Correct.

12 Q. So, from that point until here, there
13 was discussions being had. At some point those
14 discussions obviously broke down and then you made
15 this formal response?

16 A. I wasn't aware that communications broke
17 down. My understanding was that UMMC legal
18 counsel was in communication with Dr. Papin's then
19 attorney.

20 Q. Okay. At the third paragraph of this
21 letter it states that counsel will not be allowed
22 to participate and shall be there in an advisory
23 capacity. Is that a decision you made or did you
24 get that from somewhere else?

25 A. That would have been under advisement in

Molly Brasfield
January 21, 2021

Page 61

1 consult with UMMC legal.

2 MR. MORGAN: I don't have anymore
3 questions.

4 MR. WHITFIELD: No questions.

5 (Time Noted: 10:45 a.m.)

6 SIGNATURE/NOT WAIVED

7 ORIGINAL: MR. MORGAN, ESQ.

8 COPY: MR. WHITFIELD, ESQ.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Molly Brasfield
January 21, 2021

Page 62

1 CERTIFICATE OF DEPONENT

2 DEPONENT: Molly Brasfield, CORPORATE REPRESENTATIVE
OF UMMC PURSUANT TO RULE 1.310(b)(6)

3 DATE: January 21, 2021

CASE STYLE: Papin vs. UMMC, et al

4 ORIGINAL TO: Mr. Morgan, ESQ.

I, the above-named deponent in the
deposition taken in the herein styled and numbered
cause, certify that I have examined the deposition
taken on the date above as to the correctness
thereof, and that after reading said pages, I find
them to contain a full and true transcript of the
testimony as given by me.

Subject to those corrections listed below,
if any, I find the transcript to be the correct
testimony I gave at the aforesated time and place.

Page	Line	Comments
10	_____	_____
11	_____	_____
12	_____	_____
13	_____	_____
14	_____	_____
15	_____	_____
16	_____	_____

17

18 This the ____ day of _____, 2021.

19

Molly Brasfield

20 State of Mississippi
21 County of _____

Subscribed and sworn to before me, this the
22 ____ day of _____, 2021.

23 My Commission Expires:

24 _____

25 Notary Public

Molly Brasfield
January 21, 2021

Page 63

1 CERTIFICATE OF COURT REPORTER

2 I, Robin G. Burwell, Court Reporter and
3 Notary Public, in and for the State of Mississippi,
4 hereby certify that the foregoing contains a true
5 and correct transcript of the testimony of Molly
6 Brasfield, as taken by me in the aforementioned
7 matter at the time and place heretofore stated, as
8 taken by stenotype and later reduced to typewritten
9 form under my supervision by means of computer-aided
10 transcription.

11 I further certify that under the authority
12 vested in me by the State of Mississippi that the
13 witness was placed under oath by me to truthfully
14 answer all questions in the matter.

15 I further certify that, to the best of my
16 knowledge, I am not in the employ of or related to
17 any party in this matter and have no interest,
18 monetary or otherwise, in the final outcome of this
19 matter.

20 Witness my signature and seal this the
21 28th day of January, 2021.

22

23

24

25

Robin G. Burwell

ROBIN G. BURWELL, #1651
CRR, RPR, CCR

My Commission Expires:
April 6, 2021

Molly Brasfield
January 21, 2021

1

Exhibits	2	41	24 21:12
Exhibit 001 Bra sfield	2	52:11	22:2,4,13
3:9 10:2 12:1	16:18,20	46	23:15,24
16:24 17:11	41:10	52:18	24:16,21,25
Exhibit 002 Bra sfield	2009	5	29:17 30:7,
3:11 16:18,20	6:7,10	5	14,19,23
Exhibit 003 Bra sfield	2017	50	31:8,11 32:7,
3:13 19:14,16	25:10 40:18	23:10,12	12,16 37:23
21:1	44:23 45:1	54	41:19 45:25
Exhibit 004 Bra sfield	2019	45:16,17	47:15 49:9
3:15 21:22,	6:11	54	50:10,16 53:9
23,24	2020	31:5	54:3,6 57:24
Exhibit 005 Bra sfield	6:17	6	58:4,22
3:18 23:10,12	20th	6	academically
Exhibit 006 Bra sfield	50:4	59:13,15	13:12
3:20 59:13,15	212	6th	academics
1	15:11	40:18 41:22	6:9,14 7:14
10:2 12:1	213	42:19 43:14	Academy
16:24 17:11	15:12	44:23 50:25	9:17
10	22	7	acceptable
10:6,16 11:24	25:3	10:5,10	18:8 26:20
10-page	23	A	accepted
19:12	40:14	a.m.	6:15,17
10:45	3	61:5	access
61:5	19:14,16 21:1	academic	20:18
15th	3rd	6:24 7:6	accurate
42:21 49:6	60:8	11:7,10,11,18	8:2 10:7
19th	4	12:8,16,17	ACGME
45:1	21:22,24	13:1,8,13,14,	11:5 12:10
	40	15,22 14:4,5,	30:4
	17:18	6,13,19,21,22	acronym
		16:5,15 19:22	29:23
		20:2,7,15,23,	action
			14:9
			actions
			10:20 14:6
			20:12 26:12,
			25 27:16
			52:23 53:4

Molly Brasfield
January 21, 2021

2

actual 17:18 47:11	Algorithm 19:18,23	appears 49:15	36:21 37:4 39:15 47:1
addition 33:24	aligned 47:17	application 22:25 23:2,5, 7	assigning 47:5
additional 26:3 35:13 41:10,11	alignment 39:25	applied 25:24	assist 28:12
address 10:11	allergy 5:24	apply 10:18 15:24 26:25	assistant 9:13
administered 11:13	allowed 60:21	applying 20:9	associate 29:18 37:25 44:5 45:21
advance 36:11	amenable 55:12	approach 42:23	assuming 4:23
adverse 52:23	amendable 51:18	approval 56:4	attached 47:11
advice 45:11	amended 53:1,5 54:3	April 6:7,17	attempt 60:5
advised 51:14	amendment 53:21	area 7:6,7 9:12 11:12 24:4 41:3,6 46:1	attendance 45:22
advisement 60:25	amiss 33:22	areas 6:14 7:8	attended 45:2
advisory 10:13 28:20 34:19,20,24 35:1,6 48:12 60:22	and/or 10:19 37:8	art's 8:15	attending 45:23
affect 5:25	answering 32:5 37:8 51:24	articulate 44:1	attorney 51:9 54:14 57:12 59:16 60:4,19
affirmative 5:7	answers 5:6	articulates 42:16	attorney-client 55:5 59:6
agreed 55:1,13	anymore 61:2	aspect 34:18	authorized 55:4
agrees 44:16	Anytime 55:10	aspects 31:15	avoid 55:13
ahead 11:23	apologize 36:15	assessment 18:12	aware 16:11,13 25:21 26:3,6 27:8 31:9 35:2 38:4
akin 6:8 9:14	appeal 47:15 51:3,8, 22,23 58:5	assigned 29:12,24	
	appeals 58:8		

Molly Brasfield
January 21, 2021

3

40:11 60:16	8:21 13:25	broke	16 36:1,2,4,
	17:23 50:20	60:14,16	13 40:4,10,11
B	57:1	brought	41:2,7,9,14
bachelor	behaviors	4:10 8:7,22	49:14,19,21
8:15	26:19,20	44:9 55:22	56:10,12
back	31:15 39:6,10	business	Center
6:3 25:2,18	belief	7:5 8:10	15:15,19 17:6
28:11 39:22	48:1	28:6,12 29:11	34:13
40:13,16	Benefits	33:4,15,16,	cetera
41:22 49:3	22:19	17,21,25	24:8,19
Backing	big	36:5,8,21	chair
6:23	34:16	37:3 42:14,	58:8
backup	bit	16,25 48:20	chance
48:25 49:3	16:25 58:18		56:18
ballpark	Blue	C	chancellor
4:13 45:14	9:5	call	30:24
Barr	boilerplates	31:21 37:17	change
29:18 30:5,12	18:4	called	7:21 9:9
37:22 38:6,	Bondi	8:8 15:22	changed
15,16,25	30:25 58:7,11	campus	6:12 52:21
39:22 44:6,9	book	7:8	53:11
45:9 56:8	52:16	capacity	charge
based	bottom	60:23	24:8,19 30:1,
50:23	15:9 17:19,21	capital	2
basic	31:5	23:8	checklist
22:18	Brasfield	case	23:22 24:9
basically	4:1,5,7,8	4:10,25 7:19	chief
57:21	19:15 55:7	13:7 19:6	4:24 6:16,18,
Bass	59:14	24:16 32:12	19
29:14 31:19	break	34:4 36:25	choose
32:6,19 40:4	5:14,15,17	38:9 43:2	38:5
41:2,7,9	Brenda	44:9 45:11	choral
56:10	48:2,3	56:13	9:17
Bates	briefly	cases	Chris
15:9 31:5	9:2	4:15,18	41:4,5 49:25
beginning	broad	Cecelia	Christian
22:18	46:12	29:14 31:19	45:21 51:12
behavior		32:6,19 33:7	claim
		34:5,8 35:15,	

Molly Brasfield
January 21, 2021

4

8:7 24:7,19 clarification 45:24 clarify 17:8 43:8 clarifying 52:1 53:19 clause 44:4 52:1 clear 5:10 15:2 coaching 18:12 Code 50:20 collect 36:22 collecting 20:18 College 8:16 9:11 colleges 9:15 combination 9:9 comfortable 57:7 comment 46:8 committee 28:23,25 31:1,2 58:8 communicate 28:11 communication 7:20 51:10 60:18	communications 33:19 60:16 Community 9:11 compiled 12:11 complete 17:14 35:18 comprehensive 35:18 concern 19:9 39:5 concerns 55:21 concession 55:18 conclude 14:6 concluded 44:24 concur 14:11 46:15 concurred 32:25 34:21 44:4 46:19 47:7 concurrence 36:4,16 48:5 concurring 14:8 concurs 28:10 35:24 conduct 8:2 14:12 17:23 50:20 conducted 8:4,11 33:17	conferred 56:11 confine 55:3 confused 12:15 consensus 39:25 considered 7:13 11:17,18 12:7,10 13:17 16:5,7 22:2 27:19 consistency 54:1 constituents 37:5 constructs 11:13 45:25 consult 39:23 54:12 59:19,21 61:1 consulting 28:20 34:18 35:6 consultive 10:13 contained 22:16 content 19:2 contents 8:4 52:3 contingent 11:8 14:17 50:11 continuation 11:10	continue 42:2 54:13 continuing 9:15 43:24 contracts 22:21 control 9:10 conversation 54:14,23 conversations 33:13 57:23 59:6 convicted 5:21 cool 9:19 copied 40:21,24 50:7 copy 22:12 61:8 corporate 4:20 9:20 correct 8:9 10:1,23 12:20,22 15:4 16:9,21,22 17:1,2 18:11, 16,19 19:13 20:1,10 21:21 23:19 25:1 30:13,20 31:7,22 32:17 33:10,15 34:16 35:21 36:18 37:15 40:22 41:16, 21 44:7,11,18 47:1 48:1
--	---	--	--

Molly Brasfield
January 21, 2021

5

49:1,10,11 50:3,8 51:1, 6,16 52:2 53:8,10 56:20 57:10 59:1, 16,17 60:11	current 20:25 52:3 54:4	deduction 44:12	dig 48:21
correction 21:10	<hr/> D <hr/>	deeper 48:21	DIO 29:24
correctly 10:23	dash 15:10,11	degree 8:15,17	direct 7:23
correspondence 58:21 59:9	data 23:7	demotions 52:24	director 6:9,13,24 7:3,4 9:13,17 21:14 25:10 29:15,17 34:10,12 41:25 43:16, 18 44:2
counsel 45:22,23 54:13,25 56:1 59:10 60:18, 21	dated 44:20	deposition 4:11 9:25 10:3 25:4 40:15	directorship 32:4
counseling 51:11	days 42:21 44:19 49:15	depositions 5:2,6 7:16,22	disagree 47:5
count 18:15	deals 26:15	describe 7:1 9:2	disagreed 47:2
counts 18:20	dealt 24:25	describing 16:4 41:13,19	disciplinary 10:19 26:12, 25 27:15
cover 17:5	dean 29:18 37:25 44:5	descriptions 7:9	discipline 40:5
covered 14:21 19:25 59:5	decision 24:16,22 28:1,19 31:11,13,18, 23,25 33:14 35:4 37:21 39:21 46:17 47:4 60:23	desire 39:9	disciplined 13:6
create 23:8	decision-making 10:13 34:18 37:11	desired 55:17	disciplining 20:6 23:21
credits 8:19	decisions 34:12,15	detail 18:23 29:9	disclosure 59:8
crime 5:21	declined 57:19	detailed 15:14 18:24	discuss 38:17 47:23 49:7,16 50:9
Cross 9:5	deduce 43:25	dialogue 40:9	discussed 43:2 45:8,18 46:14 49:8 57:20 58:1,4
Culver 8:16		difference 11:2	
		differentiate 13:7	

Molly Brasfield
January 21, 2021

6

discussion 47:19 49:18	dozen 4:14	Earl's 10:3 25:4 40:14	41:2,6 43:9, 15
discussions 55:4 56:1 60:13,14	draft 59:18,20	earlier 41:19 49:8	employees 15:15,19 17:22 19:8 34:5,13 55:10
displeasure 55:15	drugs 5:24	easier 26:6	employer 33:23
disruptive 50:20	dual 14:24 20:22	easy 6:2	employment 4:17 6:6 10:11,14,16 11:8,12 13:17 14:9,17 15:23 16:7 17:20 20:12,16 22:25 24:19 26:15 31:14 32:8 45:25 50:10,11,18 51:18 52:23 54:4
dissatisfied 55:11	due 21:9	education 9:15 19:17 29:19 44:5	employment/hr 22:3
distinguish 32:7	duly 4:2	educational 8:14	encourage 19:1,6
dive 42:12	<hr/> E <hr/>	EEOC 24:8,19	end 41:25 43:13 49:12 57:21
document 9:10 16:23 19:18 21:25 22:3 23:12, 23,24 24:2 25:5,7 31:3 48:13	e-mail 18:14 20:18 33:3,4,6 35:1 40:17,22,25 41:8,22 42:8, 19,22 43:14 44:15,19 49:6,14 50:2, 4,7,25	efficiency 37:1	ending 20:17
documentation 24:5 28:4 47:9,11 48:15,25 49:3 51:4	e-mails 18:7 19:7 33:24 40:15 47:10 48:13, 18	efficient 35:16	endorse 34:12
documenting 19:4	Earl 22:9 25:9 30:16,18 31:10 37:6 38:1,10,12, 16,25 39:2,5, 12,18,22 42:4 44:1,9,13 48:16 56:7 58:1	egregious 19:5 56:18 57:1	endorsed 35:12
documents 18:13 28:7 34:2 35:8,10 36:22		EHR 20:18	endorsement 13:1
don'ts 5:5		elicited 50:24	endorsing 40:8
dos 5:5		employed 9:4,7,11	
doubt 21:5		employee 7:20 8:7 17:5 24:4,6 27:23, 24 28:9,10 29:14,15 33:5,25 34:10,11 35:11,22 36:10 37:2,9 38:2 40:8,10	

Molly Brasfield
January 21, 2021

7

enrolled 14:18	excerpt 17:9,15 26:14 52:12	<hr/> F <hr/>	final 10:21 26:13 27:1,17,24 57:2
enrollments 22:19	excludes 53:3	facts 44:8,22 50:23	finance 7:8
ensure 21:8 24:4 34:2 35:12 46:1	executive 6:13,24 7:3	faculty 15:22,24 16:6,20 17:3 26:14 52:3,7 53:3,15,17,25	find 55:12
entered 25:9	exhibit 10:2 12:1 16:18,20,24 17:9,11 19:14,16 21:1,22,23 23:10,12 25:3 40:14,17 43:7 44:25 52:11 59:13,15	fair 9:25 17:3 20:8 23:15 42:5	findings 8:13 14:6 33:18 43:3,9
entire 6:21 12:2 37:3		fall 7:10,13	fixed 54:1,2
entitled 17:22		familiar 15:7,18 21:24 28:23 42:10	follow 20:5 22:6 23:21 27:18, 22,25
Epic 20:18	exhibits 25:3	family 22:20	form 18:3,6,10
escalated 21:14 38:18	existence 23:14	February 40:18 41:22 42:19,20 43:14 44:23 49:6 50:4,25 59:24	formal 10:20 19:7 26:12 27:1,16 36:3 38:7 60:15
ESQ 61:7,8	exists 12:5 15:6 16:13		formal-formal 48:12
evaluation 10:19 19:17, 22 21:1	expand 58:18	feel 28:7 57:4,7	formed 11:6
evaluations 22:10,11,14 25:25 26:1 27:6	expected 42:14	feels 42:1	forms 18:7,9
ex-husband 8:23	explain 11:2 14:14 37:23	felt 38:17 40:11	formulating 44:22
EXAMINATION 4:4	expressed 33:13	field 57:4,9	forward 48:8
examine 31:14	extended 9:13	file 22:16	fourth 17:21 44:25
examined 4:2	extent 38:4	fill 22:24 23:5	frequently 24:3
exception 5:15			

Molly Brasfield
January 21, 2021

8

full 4:6 17:13 34:3 44:1 52:15 fully 35:18 future 57:3 <hr/> G <hr/> gather 35:7 gathered 42:17 gave 34:20 general 6:4 13:5 45:21 Gilmore 40:24 41:1 49:25 give 6:3 7:17 36:15 37:25 59:2 globally 55:3 GME 11:1 12:9,10 19:23 20:4 21:3,11 22:5, 23 23:20 24:25 28:23 29:12 30:3 37:25 41:19 51:9 52:2 53:4,23	good 6:2 28:17 43:22 53:13 governed 11:4,11 governing 30:4 graduate 19:16 29:19 44:5 great 5:18 42:1 Greenwood 29:13 32:5 35:5,10 49:25 grievance 15:13 16:11 19:17,23 53:6 grievances 52:20 grieveable 26:18,19 52:5,23 53:4, 18,24 54:7 group 9:8 14:3 54:3 guarantee 5:12 guess 17:20 40:16 43:22 guidelines 11:11 <hr/> H <hr/> hand 23:11	handbook 15:14,18,23 16:4,6,20 17:3,19 26:15 52:4,8 53:3, 15,17,25 handbooks 11:16 handed 19:16 21:23 59:15 hanging 16:19 handle 20:17 handled 14:3 39:17 handling 51:11 happen 5:13 33:2 happened 22:11,17 57:15 happening 46:3,4 harassment 57:6 hate 5:20 head 31:1 health 13:3 hear 36:20 57:16, 25 hearing	51:23 57:24 58:8,11,14,23 helping 32:6 58:10,13 hey 32:14 54:15 56:1,16 hierarchy 34:9 highest 34:9 Highline 9:11 history 6:4 8:14 9:3 honest 12:15 hospital 13:3 hour 45:16,17 house 7:12 10:21 11:6 12:4 13:2,15 14:17,20 15:3,5,12 16:11 20:14 27:6,10,15 HR 4:24 6:21 10:6 11:1,17 12:8,23 13:8, 18,21 14:21, 23 16:5,8 18:23 20:17, 23 21:2 22:12,13,16 23:18 24:5,
---	--	--	---

Molly Brasfield
January 21, 2021

9

12,14,21 25:25 26:7, 11,21 27:7, 10,14 28:18 29:1,3,13 30:6,10,15, 18,21 31:10, 12,14,17 37:22,24 39:7,20,25 42:14 45:11 46:15 47:3,8 49:10 50:15 53:7	identities 10:11 Illinois 8:18 imagine 19:8 33:12 incidents 24:10 include 33:19 50:6 53:1 included 24:3 38:16 including 10:11 11:5 18:7 52:24 inconsistent 53:25 Incorporated/ ces 9:8 independent 14:2 39:21 48:14 independently 42:15 indication 48:7 individual 10:12 individual's 10:15 individuals 30:10 37:20 info 35:23 informal 10:20 18:14	26:12 27:1,16 48:5,11 information 24:3 35:14 38:15 41:11 42:16 46:24 51:5 initial 17:19 36:19 41:13 initially 35:8 input 57:18 inquiring 54:24 inquiry 14:12 21:11, 17 inside 46:1 insinuate 12:21,22 instance 13:11 18:11 19:4 24:7 institution 30:25 37:3 institutional 7:7 29:19,21 instructed 57:11 insurance 24:7 interacted 8:6 interest 55:11,17	interim 6:15 internal 33:16 internally-used 18:7 interpose 59:4 interpretation 12:25 interrupt 25:14 investigating 7:24 investigation 8:4,11 33:17 48:14 investigations 8:2 14:2 involved 12:24 20:9,13 22:13 28:19 29:2 31:23,25 32:4 34:4,15 35:3 36:11, 15,19 37:21 38:4 42:12,13 47:19 51:3 58:10,13 involvement 20:10 51:24 issue 14:20 19:3 21:13 issues 26:16,18 41:18 45:12 48:13 49:13 52:4,22 60:4
HRIS 6:8 Huh-huh 5:7 43:5 human 6:9,13,16,18, 19 8:10,20 9:5,9 11:13 14:7 21:15 23:8 24:18 28:6,11 29:10,11 33:24 38:11, 13,17,18 45:10 47:6			
I			
idea 55:22 identification 12:1 16:18 19:14 21:22 23:10 59:13 identify 59:8			

Molly Brasfield
January 21, 2021

10

items 45:18 58:18	knowledge 12:5 28:24	lengthy 9:24	23
<hr/>	<hr/>	letter 12:14 25:8 59:15,18,23 60:1,8,21	make 5:10,12 8:1 10:4 21:3,10 26:5,22 27:25 31:11,13,21 32:18,25 36:3 38:7 39:2,20 41:14 42:15 43:8 46:17 55:18 57:11
J	L	level 19:3 21:16 36:7,12	
Jackson 9:6,17,18	labels 15:10	liability 42:1	maker 47:4
Jamie 45:21 51:12	lacking 33:21	lieu 47:18 51:20 55:19 56:19	makers 31:18
January 25:10 45:1	lane 13:15 46:2	list 28:18,22 37:20	makes 6:2 35:23
jerk 5:9	lanes 50:13	listed 31:5 45:18	making 28:20 31:25 37:5,6 38:2 40:1 44:16 46:8 48:10 50:5
job 6:4 7:21 18:18 34:16	lapse 44:19	listing 30:6	manageable 37:5
Joey 4:9	late 19:11	locally-used 18:12	management 8:20 9:10 23:9
Johnny 40:24 41:1 49:25	lead 17:24	logistics 20:16	manager 6:8 27:23 28:3,12 30:16 36:9,18,23 38:3 42:17
July 59:24	leader 7:5 21:7 29:16 38:3	lose 25:19	manager's 32:24
<hr/>	leaders 11:12 12:12, 19,24	<hr/>	managers 18:5 19:1
K	learning 9:13	M	manual 12:4,6 15:5
keeping 36:10	leave 22:20	made 31:14 32:21 36:18 37:14 39:12 53:23 54:25 55:5 58:25 60:14,	
kill 17:13	led 31:20		
killing 17:12	legal 45:23 46:2 51:10 54:13 55:2 59:19 60:3,17 61:1		
kind 5:5 6:4 7:1 20:22 22:18 32:2 37:19 40:16 48:11	lending 45:24		
kinds 35:17			

Molly Brasfield
January 21, 2021

11

March 60:8	44:3	misconduct 57:5	35:3
Mark 30:16 38:1 44:1 51:12, 14,17,24 57:11	meet 38:16 55:16	mission 7:6,7,14 11:12	names 30:9 31:3,4 37:20
marked 10:2 12:1 16:18 19:14 21:22 23:10 59:13	meeting 7:20 28:13 36:19 38:20, 21,22,24 43:1 45:1,4,8,9,14 46:4,7,14,20, 22 48:2 49:21 50:9	Mississippi 8:22 9:6,16, 18	nature 32:13
master's 8:17	meetings 34:1 42:24 45:16,24	Missouri 9:7	necessarily 32:15 49:10
match 19:1	members 28:23,25 31:2	Molly 4:1,7	needed 20:12 36:23 38:11,18 46:15
matched 23:4	memo 19:4	moment 4:8 27:21	negative 5:8 43:5
matching 23:3	memory 5:25 28:24	Monday 50:4	Noted 61:5
math 60:9	memos 18:11,12 19:8	months 6:7 59:25 60:9	notes 19:5
matter 13:18 38:10 39:16 47:6,10 51:18 54:24	mentioned 32:6 51:2 54:9	Morgan 4:4,9 12:2 16:19 17:10, 16 19:15 21:23 23:11 29:7 37:19 41:4,5 50:1 51:21 52:21 54:20 55:7 59:14 61:2,7	notice 9:25 17:22 18:1,3,6,15 19:2
matters 59:7	mentioning 58:24		notification 28:13
meant 44:13	met 4:8 47:22	mouth 33:11	notifying 7:20
medical 15:15,19 17:5 19:17 22:20 29:19 34:13 44:5 57:3,9	mind 16:15 18:14	music 9:17	number 5:20,23 28:18 52:11
medication 5:24	mine 46:18	mutually 55:13	nutshell 19:21
medicine 5:24 43:17,18	minute 47:20		<hr/> O <hr/>
	minutes 19:11 20:21 45:16,17	<hr/> N <hr/>	object 51:13 59:11
		named	objection 59:5

Molly Brasfield
January 21, 2021

12

occasion 33:23	official 23:4	overlapping 13:24	55:15,20 57:12 59:16 60:4,18
occupation 9:8	officials 13:2	override 47:4	paragraph 15:12 41:24 44:20 45:7 60:20
occur 13:9 22:12 36:17 42:12	one-on-one 42:24 43:1	overseeing 6:20	paragraphs 50:24
occurred 34:3 48:2	operation 12:24	oversight 33:20 38:1	part 22:18 33:15 40:9 54:12 55:14,17 58:20,22
October 6:10	operational 12:12,19 13:2	<hr/> P <hr/>	participate 60:22
offended 5:14	opinion 34:20 36:6,24 44:23	pack 24:3	partner 7:5 8:10 28:6,12 29:12,14 32:6,12 33:5, 16,17,21,25 36:5,8,21 37:4 41:2,6 42:14,16 48:20
offense 40:3	opportunities 57:3	packet 24:17 28:7 32:3	partners 42:25 49:22, 24
offer 51:19 54:9, 16,25 55:4,8 56:2,17,19 57:8,12,16,18 58:24	opportunity 33:22	pages 12:3 17:17	Pat 29:10,16 32:23 33:6 34:5 35:7,11, 20,25 36:3, 15,19 37:8 39:1,16,17 40:7,18 43:1 46:18,20 47:22 48:8 50:24
offering 47:17	opposing 54:25	Pam 29:13 32:5 34:5 35:5,10, 21,23 36:1,13 40:10 41:9,13 42:20 47:22 49:9,25	
office 12:9 19:23 20:5 21:3 22:6,23 29:13	option 47:18 51:19 55:19	Papin 4:10 15:10 19:25 22:7, 11,15 25:10, 12,24 28:15 30:17 31:5,18 32:19 37:22 39:10,13 47:17,22 50:14 51:19 54:10 57:8,25 59:24	
office's 21:11	order 23:8 25:19 35:14 47:16		
officer 6:16,18,20 7:12 13:16 14:17,21 15:3 16:11 20:15 29:20,21	organizational 8:20		
officers 10:21 11:6 13:2 27:6,11, 15	original 43:14 57:12 59:16 61:7		
	originally 48:16		
	outcome 55:16,17 57:2		
	outcomes 55:11		
	overarching 39:5		

Molly Brasfield
January 21, 2021

13

Pat's 43:14	point 11:20 21:6 24:24 43:4,10 53:20 60:12, 13	37:8	problems 17:23 52:19
Pat/molly 50:5		position 6:11,12,18,19 7:4 10:12,22	procedure 13:13 14:5 20:11
pausing 8:1	points 23:7	post-master's 8:18	procedures 10:17 11:25 15:14 25:23 26:7,11,25 27:5,10,14
pending 5:16	police 7:8	potential 45:12 55:16	proceedings 16:14
people 29:2 35:3 50:2	policies 4:20 10:6,17 11:16,24 13:8,23,24 14:22 15:24 21:4 25:23 26:4,7,11,24 27:5,9,14 30:3,4 32:7, 8,9 41:19,20 50:10,11,15, 16,18 52:2 53:5 54:4,5,6	practices 27:18	process 11:7 21:9 27:20,22,25 28:2,14 29:6 33:16 34:11 35:15 37:1 41:12 46:25 47:15 58:9, 14,22,24
Perfect 5:23		preferred 5:6	produced 17:14
performance 10:18 19:3,5 22:14 25:24 26:1,16 27:5 39:11 45:12	policy 12:8,10 13:1, 17 14:5,14 16:5,7,11,12, 16 19:17,22 20:2,9,11 21:1,12 23:16,18 32:15 39:11 45:12 51:10 52:10,12,14, 20 53:13,22, 23	preliminary 10:20 26:13 27:1,16 28:6	professionally 8:24
period 17:20 60:3		preparation 47:14 57:23 58:4,7,20	profile 23:8
person 7:24 28:19 35:10 38:6		prepare 58:10	program 7:10 9:14 11:9,10 14:19 21:14 23:3 24:17 25:9 30:2 32:4 42:1 44:2,3 50:12
perspective 45:11 46:2		prescriptive 18:6	programs 7:13 11:4,6
piece 35:22 57:24 58:3		print 17:11 52:18	
pieces 29:1		prior 4:24 7:4,15 8:24 9:2,4,6, 10,16 22:17 24:10 48:5	
place 34:11 38:21		privilege 54:23 55:3,6	
plaintiff's 10:14,16,22	poor 18:18	privileged 59:7,11	
plan 49:16	pose 36:22	pro 5:2	
played 10:12	posed	probation 23:25	

Molly Brasfield
January 21, 2021

14

progressing 13:12		20:7,15 24:21	record 4:6 5:11
prompt 5:9	Q	recall 8:3 23:13	10:10 15:3
property 20:19	qualify 13:21	24:14,15	37:18 54:18,
propose 51:17	quality 9:10	25:6,11,13	21,23 59:12
protocol 23:22	question 5:11,15,16	31:3 38:19,25	recorded 47:21
provide 35:14 55:18	13:10 26:10,	39:4,9,12,15,	refer 12:6 21:7
provided 52:13	22 27:13	17 45:4,8,15,	28:22 31:2
providing 48:20 51:5	46:8,12 53:13	20 46:4,7,10,	47:6 52:7
psychology 8:16,17	questions 5:19 25:16	11 47:12,13,	reference 45:1 53:23
published 12:9	27:3 32:5,11	16 49:5,20	59:6
publishes 19:23	34:2 35:13	59:22	referenced 51:9
pulling 51:4	36:22 37:8	receipt 60:8	references 16:10
punitive 19:10	41:11 48:24	receive 24:6	referencing 16:24
purely 43:23	49:5,8 51:17,	received 35:13 46:24	referred 38:11,12
purposes 24:5	24 52:19	57:18	57:22
purview 21:8	60:5,6 61:3,4	receives 36:5	referring 43:19,25
put 25:18 33:11	R	receiving 19:8	53:14
35:8	rationale 13:11 36:20	recitations 48:17	reflect 53:5 54:4
putting 48:8	Ray 51:12,14,25	recognize 12:4	regard 52:4
	57:11	recollection 60:2	regular 6:12
	read 10:9,10,23	recommendation 32:18,22 33:1	relate 27:6
	42:7 48:22	35:24 37:14	related 4:17,18 11:7,
	reading 23:13 25:15	38:8,13 39:3,	13 12:23 14:9
	49:7	13 40:1 42:15	15:24 20:12,
	real 21:19 29:25	43:16 44:16	16 26:15 29:1
	reality 14:15,16	48:11	
	reasons	recommendations 8:13 33:18	
		43:3,9	

Molly Brasfield
January 21, 2021

15

31:15 32:9 45:25 49:9,10 relates 10:6 relating 26:11 27:10, 15 relations 24:4 28:9,10 29:14,15 33:5,23,25 34:10,12 35:11,22 36:10 37:2,9 40:9 41:3,6 43:10 relying 48:17 remain 57:9 remained 6:10 remains 53:17 remark 10:3 remediated 24:1 remediation 10:19 26:8 27:11 remember 46:3,6,13 49:2,18 52:14 56:12 rephrase 5:13 report 21:15	reported 13:16 14:7 31:16 reporting 41:2,6 reports 36:1 represent 4:9 representative 9:20 request 28:3,5,8 31:14 32:24 35:9 36:5,19, 20 37:7,17 38:1,2,16,20 39:7 47:15 51:3,8 requested 24:12 45:10 54:17 requesting 24:2 requests 22:19 27:23 37:2 require 13:24 reread 26:22 research 6:10,14,25 7:6,14 29:17 reside 50:13 residencies 29:23	residency 7:10,12 11:4 30:2 resident 13:12 15:3 22:15 23:21 24:20 44:2 residents 13:5 19:24 20:6 22:7 resign 47:18 51:19 resignation 54:9,16 55:8, 23 56:17,19 57:8,16 58:3, 25 resigning 55:19 58:1 resource 6:20 resources 6:9,13,16,18 8:10,20 9:5,9 11:14 14:7 21:16 24:18 28:6,11 29:10,11 33:24 38:11, 13,17,18 45:10 47:7 respective 31:1 responded 41:17 49:14 responding 24:18 responds 41:9 42:20	response 5:7,8 42:22 43:5 60:15 result 20:11 retained 22:23 review 14:8,23 20:23 21:2 24:4,13, 15,21 27:25 28:5 32:3,16, 25 33:20 35:11,15 36:12 41:13, 15 42:9,15 46:16 47:3,7, 8,9,25 reviewed 8:12 35:18 38:10 47:12, 14 48:4 reviewing 21:3 23:14 39:21 44:22 47:13,16 reviews 35:17 37:2 Rick 29:18 rights 15:13 role 4:24 6:15 10:13,15 28:20 29:17 34:19 37:6, 11,23 51:7 55:9
--	--	---	---

Molly Brasfield
January 21, 2021

16

roles 6:17	section 52:22	several-page 19:4	sitdown 34:1
rudimentary 23:6	seek 39:25 45:11	severe 19:6	situation 20:21 38:7 46:9 47:23
rules 10:17 11:11, 24 25:23 26:6,10,24 27:4,9,14	select 12:3	sexual 57:5	situations 14:1
Ryan 4:9	selected 28:25	share 29:1	skills 44:12
<hr/> S <hr/>	selection 11:5,9	shared 24:18 28:9	small 18:24 37:4
sanction 14:9 36:7,24 39:10	send 59:25	Shield 9:5	solution 51:18
sanctions 38:3	senior 41:1,5	show 10:4 25:2	sort 4:21 5:24 17:4 27:4 34:17,19 35:20 41:12 42:22 55:14 56:4
sand 56:15	sense 5:12	side 11:1 24:25 25:25 26:7, 11,21 27:7, 10,15 28:18 29:4,10 30:6, 7,14,15,21,23 31:8,11,12,17 37:24 40:9 53:7,9 58:4	sound 5:1
satisfactory 14:18	sentence 43:24	sides 29:8	sounds 34:20
satisfied 48:23	separate 16:10 24:6	SIGNATURE/NOT 61:6	speak 50:6
save 35:19	separately 24:24	signs 22:21	specific 11:7 18:2,3 25:6 45:20
scenario 55:14	September 6:11	similar 4:19 34:19,22	specifically 9:23 26:1 39:4,18 46:10 50:19 56:12
scheduled 45:16	series 40:15	simple 18:17	speculate 43:20
School 43:16,18 44:3	served 6:16	simultaneously 6:15	speculative 43:23
science 8:17	service 6:14 7:7 29:13 32:5,11 41:1,5 49:22, 23	sir 6:22	spirit
scope 29:1	serving 29:16		
Seattle 8:19 9:12	set 55:13 58:13		

Molly Brasfield
January 21, 2021

17

19:3 37:1	Stockton	supported	tend
Springfield	8:16	7:6	19:1 42:13
9:7	stop	surgery	terminable
staff	43:17	44:2	40:3
12:4 15:5,13,	stuff	suspended	terminate
23,25 16:6,20	22:17	13:6	24:17 31:18
17:3 26:14	subject	suspending	32:24 34:13
52:3,7,20	59:7	20:5	36:6 37:21
53:3,15,17,25	submitted	suspension	terminated
stamped	35:12	13:14 23:24	20:15 39:14
31:5	subsequent	24:11 40:5	50:15,16,17
stamps	37:10 57:22	suspensions	59:24
15:10	subsequently	52:24	terminating
start	46:24	swim	20:6 32:19
46:25 54:15	subset	13:15 50:13	termination
started	7:1 37:4	sworn	10:14,15
6:6 40:7	52:19	4:2	17:24 22:17
starts	successful	system	24:2,11 27:23
35:20,23	11:9	13:4 23:9	28:13,21 33:7
state	successfully		34:21 35:9
4:5 8:18	24:1	<hr/> T <hr/>	37:16 38:14
stated	sufficient	taking	39:3 40:6,12
39:5	28:7 49:4	26:5 38:21	42:5 43:15
statement	suggested	talk	44:24 47:18
47:22 48:4	38:10	33:22 56:7,10	48:6 51:20
states	suggests	talking	53:2,7 54:7
60:21	44:20	20:21 27:20	55:19 57:2
status	summary	58:23	terminations
43:2	48:19 49:4	talks	52:25 53:4,
staying	supervisor	17:19,20 36:9	18,24
46:1	8:12	team	terms
step	supplied	7:5 20:13,17	6:25 14:18
6:23	28:4 32:3	28:9,10 33:5,	55:13 60:4
steps	support	25 34:1 35:11	testified
16:14 42:11	12:11 28:5,8	36:10 37:2,9	4:3 22:10
Steve	32:23 33:7,14	templates	testify
30:25 58:7	35:9	18:4	9:23 10:5,25
			29:3 51:15
			testifying

Molly Brasfield
January 21, 2021

18

4:19	totally	56:11	24:7
thing	15:2		unhelpful
5:4 17:10,11	trainee	<hr/> U <hr/>	43:21
18:10 25:15	49:13 50:12		University
52:18	transition	uh-huh	7:2 8:18,19
things	28:17	5:7	13:16 59:10
4:20 11:1,2	transitioned	ultimate	unwritten
22:10	6:8	31:18	10:18 27:4,9,
thought	Traxler	ultimately	14,19
53:20	48:2	31:20 34:8	update
time	trees	40:2 57:14	52:2
4:23 6:12	17:12	UMC	upline
19:12 25:11	tricky	4:10 6:5	8:11 29:16
26:5 29:16	49:13,15	UMMC	38:3
35:16,19	trigger	4:24 6:6,21	
36:16 37:1,13	56:24	7:24 8:25	<hr/> v <hr/>
42:5 44:19,21	trust	9:4,21 10:16	verbal
47:13,16 49:7	42:17	11:8 19:16	33:12 34:24,
50:5 51:11	trustworthy	20:18 23:5	25 39:2
53:6 54:25	48:9	34:6 45:22	verbally
60:3 61:5	turn	51:10 54:12	34:21
times	17:16	59:19 60:3,17	version
4:13 23:24	two-page	61:1	17:14
24:15	25:8	unaware	versus
title	two-step	54:8	11:1 32:8
6:7,12 17:4	27:20	unclear	50:10
43:20 44:2	type	14:11	vice
today	4:15 7:16	uncomfortable	30:24
7:11 9:19	18:2,10 19:2	57:4	violated
47:14	types	understand	13:16
told	48:18 49:13	9:19 52:17	Violating
57:14	typical	understanding	14:25
Tommy	22:16 28:2	34:3 55:15,20	violation
5:4	56:13	60:17	14:24 20:22,
topic	typically	Understood	25 21:12
28:18 58:21	14:4 21:13,15	21:18	violations
topics	33:4 38:2	undertaken	39:11 45:13
9:24 10:5	45:15,22	28:14	50:18
		unemployment	

Molly Brasfield
January 21, 2021

19

virtue 45:21	17:8 29:5 51:13 52:15 54:18,22 59:4 61:4,8	written 10:17 17:22 18:1,2,6,15 19:2,12 25:22 26:6,10,24 27:24 53:18	
<hr/> W <hr/>			
wait-and-see- what-happens 42:23	Whitlock 29:11,16 32:23 35:7 39:1,16 40:8, 18	wrong 12:22	
WAIVED 61:6		<hr/> Y <hr/>	
waiving 55:2,5	Whitlock's 50:25	yesterday 10:2 22:9 25:3 40:14	
walk 32:2 55:7	Woodward 30:24		
wanted 39:13 42:5	word 39:24 56:15		
warning 19:12 27:24	words 33:11		
warranted 14:10 36:25 47:7	work 8:24 9:2 13:3 17:23 36:23 59:21 60:5		
warrants 47:3	worked 32:2		
Washington 8:19 9:12	working 60:3		
ways 55:16	workload 37:5		
Webco 9:8	works 14:15,16 21:19 36:9		
weekly 42:24	world 21:19 29:25		
whatnot 11:17	writeup 18:10,11		
whatsoever 46:13	writeups 19:9		
wheelhouse 32:13	writing 38:19		
WHITFIELD			